IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5077 of 2007

M/s.New Adarsh General Kamgar Union .. Petitioner

versus

The State of Maharashtra & Ors. .. Respondents

...

Mr.R.V. Samuel for the petitioner.

CORAM : S.B. MHASE AND
D.G.KARNIK, JJ

DATED : 5th July 2007.

P.C.:

. Learned counsel for the petitioner states that he may be allowed to withdraw the petition since the alternate efficacious remedy of the appeal is under the Trade Unions Act 1926 as against the impugned order.

2. Allowed to be withdrawn with liberty to file an appeal. We clarify that this liberty does not mean that we have condoned the appeal. Issue of condonation of delay has to be decided by the appellate authority on its own merits taking into consideration the provisions in respect of the condonation of a delay and relevant provisions of the Limitation Act.

(D.G. KARNIK, J) (S.B. MHASE, J)